



Order Filed on December 4, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

William Charles Hovey

Case No. 19-28149

Chapter: 13

Hearing Date: October 29, 2020

Judge: Rosemary Gambardella

ORDER DETERMINING MOTION IN LIMINE AND CROSS-MOTION IN LIMINE
AND PROVIDING FOR ADDITIONAL RELIEF

The relief set forth on the following pages, numbered two (2) through three (3) is
hereby **ORDERED**.

DATED: December 4, 2020



Honorable Rosemary Gambardella
United States Bankruptcy Judge

Page 2 of 3

Debtor: William Charles Hovey

Case No. 19-28149/RG

Caption of Order: Order Determining Motion in Limine
and Cross-Motion in Limine and Providing
For Additional Relief

This matter having been opened to the Court upon the filing of a Motion In Limine by creditor Robert M. Pietrowicz seeking to exclude evidence of Debtor William Charles Hovey's valuation report and opinion testimony; and the Debtor William Charles Hovey having filed opposition to said motion; and having also filed a Cross Motion in Limine seeking to exclude evidence of Alan Atkin's valuation report and opinion testimony; and the Court having reviewed the parties' submissions; and having heard oral argument; and for good cause shown;

IT IS ORDERED, that the Creditor's Motion in Limine to Strike Debtor's Valuation Report and to Exclude Debtor from Testifying as an Expert is granted. The Valuation Report will be available to the parties at trial, including by the creditor at cross-examination; and it is further

ORDERED, that the Creditor's Motion in Limine to Prohibit the Debtor from Testifying as a Lay Witness as to The Value of Telemark CNC, LLC's Assets filed by Robert M. Pietrowicz is denied; and it is further

ORDERED, that the Debtor's Cross-Motion in Limine to Strike Creditor's Valuation Report and to Exclude Testimony of Alan Atkins is denied; and it is further

ORDERED, that the Debtor has the right to seek the appropriate credit for the value of the assets purchased by the creditor at Sheriff's Sale. The amount of the credit will be determined by the Court at final hearing; and it is further

ORDERED, that the Debtor is entitled to a credit for the value of the Ford Mustang. The parties are directed to attempt to negotiate a stipulated value for that vehicle. In the event the parties cannot agree on the value, this Court will determine its value; and it is further

Page 3 of 3

Debtor: William Charles Hovey

Case No. 19-28149/RG

Caption of Order: Order Determining Motion in Limine
and Cross-Motion in Limine and Providing
For Additional Relief

ORDERED, that the parties are Ordered to enter into mediation and submit a Mediation Order to this Court. They are to select a mediator by November 12, 2020. In the event that they cannot agree on a mediator, this Court will appoint one; and it is further

ORDERED, that all of the remaining matters on the Court's calendar for October 29, 2020 are adjourned to December 3, 2020 at 10:30 a.m. This adjournment is for calendar control purposes only. No argument on the merits of any of these matters will take place on that date; and it is further

ORDERED, that pending the outcome of the mediation, discovery will be limited. No depositions are to be scheduled or taken. However, requests for document production are permitted, as are subpoenas to non-party witnesses for production of documents. The parties are directed to negotiate the production of documents. However, if those negotiations are unsuccessful, the parties may file the appropriate motions with this Court; and it is further

ORDERED, that the parties shall submit a Scheduling Order by December 3, 2020 governing additional discovery. This Order will not be a final Order and it may be amended in the future, depending on how the case progresses.

United States Bankruptcy Court
District of New Jersey

In re:
William Charles Hovey
Debtor(s)

Case No. 19-28149-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 04, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 06, 2020:

Recip ID	Recipient Name and Address
db	+ William Charles Hovey, 14 Balchen Way, Rockaway, NJ 07866-4702

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 06, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 4, 2020 at the address(es) listed below:

Name	Email Address
Dean G. Sutton	on behalf of Debtor William Charles Hovey dean@deansuttonlaw.com
Leonard C. Walczyk	on behalf of Creditor Robert M Pietrowicz lwalczyk@wjslaw.com lwalczyk@ecf.inforuptcy.com;dmendez@ecf.inforuptcy.com
Marie-Ann Greenberg	magecf@magtrustee.com
Neal H. Flaster	on behalf of Plaintiff Robert M Pietrowicz nhf@flasterlawgroup.com
Neal H. Flaster	on behalf of Creditor Robert M Pietrowicz nhf@flasterlawgroup.com
Patrick J. Spina	on behalf of Creditor Valley National Bank info@pjspinalaw.com

District/off: 0312-2
Date Rcvd: Dec 04, 2020

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7